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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,095	02/02/2004	Carole Jegu Stora	59037US002	9275
32692	7590	04/05/2005	EXAMINER	
3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427 ST. PAUL, MN 55133-3427			PENG, KUO LIANG	
			ART UNIT	PAPER NUMBER
			1712	
DATE MAILED: 04/05/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/770,095

Applicant(s)

STORA, CAROLE JEGO

Examiner

Kuo-Liang Peng

Art Unit

1712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/1/04 IDS.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-22 is/are allowed.
- 6) ☒ Claim(s) 1,4-13,23 and 29-31 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 24-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/1/04, 2/2/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Applicant should specify the US Patent Application for the attorney docket no. 58898US003 in the first paragraph of the specification.

Appropriate correction is required.

2. The following Office action is based on the term “microsphere filler” being defined in the specification wherein the microsphere filler has a soft skin. (page 9, lines 17-18)

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4-13, 23 and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Meguriya648 (US 6 274 648).

Meguriya648 discloses a process of compression molding of a silicone gel composition. Note that the mold in a typical compression molding reads on the enclosable container. During the process of molding, the “container” is sealed. The silicone gel composition comprises an alkenyl-containing polyorganosiloxane, an organohydrogenpolysiloxane and a hollow filler. (col. 2, lines 12-31 and col. 7, lines 55-64) The hollow filler can be an expanded thermoplastic microsphere filler. (col. 2, lines 52-63) The amount of the hollow filler is described in col. 3, lines 59-67. The compression mold reads on the sealable device in the present invention. For Claims 4-5 and 29, each ingredient and the amount thereof are further exemplified in Example 3. For Claims 8-13 and 30-31, a silica filler can be used. The amount of the silica filler is exemplified in Examples.

5. Claims 1, 4-13, 23 and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Meguriya609 (US 2001/0016609).

Meguriya609 discloses a process of compression molding of a silicone gel composition. Note that the mold in a typical compression molding reads on the enclosable container. During the process of molding, the “container” is sealed. The silicone gel composition comprises an alkenyl-containing polyorganosiloxane, an organohydrogenpolysiloxane and a hollow filler. ([0005] and [0041]) The

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hollow filler can be an expanded thermoplastic microsphere filler. ([0004] and [0030]) The amount of the hollow filler is described in [0032]. The compression mold reads on the sealable device in the present invention. For Claims 4-5 and 29, each ingredient and the amount thereof are further exemplified in [0005], [0012], [0017] and [0022]. For Claims 8-13 and 30-31, a silica filler can be used [0036] and [0038]. The amount of the silica filler is exemplified in Examples.

6. Claims 2-3 and 24-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of the above references teaches or fairly suggests a) the specific features of the sealant material and the enclosable container set forth in Claims 2-3 and 25-26; b) the folding feature of the enclosable container set forth in Claim 24; and c) a sealable device being adapted to receive a component set forth in Claims 27-28.

Allowable Subject Matter

7. Claims 14-22 are allowed.

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8. The following is an examiner's statement of reasons for allowance:

The present claims are allowable for at least the following reason(s) over the closest references: Meguriya609 and Meguriya648.

None of the references a method of sealing an enclosable containing having a component extending into the enclosable container set forth in the instant claims.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (571) 272-1091. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

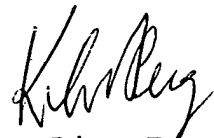
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski, can be reached on (571) 272-1302. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

klp
April 1, 2005


Kuo-Liang Peng
Primary Examiner
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